

AMENDED IN ASSEMBLY JULY 19, 2001

**SENATE BILL**

**No. 741**

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**Introduced by ~~Committee on Budget and Fiscal Review~~ Senator  
Sher**

February 23, 2001

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~~An act relating to the Department of Corrections, and declaring the urgency thereof, to take effect immediately. An act to amend Sections 13100 and 13102 of the Government Code, relating to state projects.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 741, as introduced amended, ~~Committee on Budget and Fiscal Review Sher. Budget Act of 2001: Department of Corrections Infrastructure plan: funding.~~

*Existing law requires the Governor, in conjunction with the Governor's Budget, to submit annually to the Legislature a proposed 5-year infrastructure plan containing specified information concerning infrastructure needed by state agencies, schools, and postsecondary educational institutions and a proposal for funding the needed infrastructure.*

*This bill would clarify the information that is required to be included in a proposal for funding state infrastructure identified in the 5-year plan.*

~~Existing law specifies the duties and responsibilities of the Department of Corrections.~~

~~This bill would declare the intent of the Legislature to make the necessary statutory changes to implement the Budget Act of 2001 relative to the Department of Corrections.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote:  $\frac{2}{3}$  majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. It is the intent of the Legislature in enacting this~~  
2 *SECTION 1. Section 13100 of the Government Code is*  
3 *amended to read:*

4 ~~13100. It is the intent of the Legislature in enacting~~ *In*  
5 *accordance with this article that*, the state shall establish and  
6 annually update a five-year plan for funding infrastructure. The  
7 plan shall include input by the Legislature as provided in Section  
8 13104. The plan shall identify state infrastructure needs and set out  
9 priorities ~~and any criteria~~ for funding. The plan need not identify  
10 specific infrastructure projects to be funded, but it shall be  
11 sufficiently detailed to provide a clear understanding of the type  
12 and amount of infrastructure to be funded and the programmatic  
13 objectives to be achieved by this funding. The plan is intended to  
14 complement the existing state budget process for appropriating  
15 funds for infrastructure by providing a comprehensive guideline  
16 for the types of projects to be funded through that process.

17 *SEC. 2. Section 13102 of the Government Code is amended to*  
18 *read:*

19 13102. Beginning January 10, 2002, in conjunction with the  
20 Governor's Budget submitted pursuant to Section 13337, the  
21 Governor shall submit annually a proposed five-year  
22 infrastructure plan to the Legislature. This plan shall cover a  
23 five-fiscal-year period beginning with the fiscal year that is the  
24 same as that covered by the Governor's Budget with which it is  
25 being submitted.

26 The infrastructure plan shall contain the following information  
27 for the five years it covers:

28 (a) (1) Identification of new, rehabilitated, modernized,  
29 improved, or renovated infrastructure requested by state agencies  
30 to fulfill their responsibilities and objectives as identified in the  
31 strategic plans that they are required to prepare pursuant to Section  
32 11816.

33 (2) Aggregate funding for transportation as identified in the  
34 four-year State Transportation Improvement Program Fund  
35 Estimate prepared pursuant to Sections 14524 and 14525.

(3) Infrastructure needs for Kindergarten through grade 12 public schools necessary to accommodate increased enrollment, class size reduction, and school modernization.

(4) The instructional and instructional support facilities needs for the University of California, the California State University, and the California Community Colleges.

(b) The estimated cost of providing the infrastructure identified in subdivision (a).

(c) A proposal for funding the infrastructure identified in subdivision (a), ~~subject to the following criteria:~~

~~(1) If the funding proposal does not recommend funding the entirety of the infrastructure identified in subdivision (a), then the proposal shall specify the criteria and priorities used to select the infrastructure it does propose to fund.~~

~~(2) The funding proposal shall identify its sources of funding and may include, but is that includes all of the following:~~

~~(1) Any criteria and priorities used to identify the infrastructure.~~

~~(2) Sources of funding, including, but not limited to, General Fund, state special funds, federal funds, general obligation bonds, lease revenue bonds, and installment purchases. If~~

~~(3) An evaluation of the impact of new state debt on the state's existing overall debt position if the plan proposes the issuance of new state debt, it shall evaluate the impact of that debt on the state's existing overall debt position.~~

~~(3) The funding proposal is not required to recommend specific projects for funding, but may instead recommend the~~

~~(4) (A) Recommended specific projects for funding or the recommended type and quantity amount of infrastructure to be funded in order to meet programmatic objectives which that shall be identified in the proposal. However, any~~

~~(B) Any capital outlay or local assistance appropriations intended to fund infrastructure included in the Governor's Budget that coincides with the first year of the infrastructure plan shall derive from, and be encompassed by, the funding proposal contained in the plan.~~

~~act to make the necessary statutory changes to implement the Budget Act of 2001 relative to the Department of Corrections.~~

~~SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety~~

1 ~~within the meaning of Article IV of the Constitution and shall go~~  
2 ~~into immediate effect. The facts constituting the necessity are:~~  
3 ~~In order to make the necessary statutory changes to implement~~  
4 ~~the Budget Act of 2001 at the earliest possible time, it is necessary~~  
5 ~~that this act take effect immediately.~~

